IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

THURSDAY, THE THIRD DAY OF FEBRUARY
TWO THOUSAND AND FIVE

PRESENT

**THE HON'BLE MS JUSTICE G.ROHINI**

**WRIT PETITION No.1591 of 2005**

Between:

Sri. T. Mallesh S/o T. Venkata Samaiah
R/o at 1-47,Moosapet Village, Balanagar Mandal, Ranga Reddy District.

**..... PETITIONER**

AND

1 The District Collector, Ranga Reddy District at Lakdi-Kapul, Hyderabad.
2 The Joint Collector, Ranga Reddy District at Lakdi-Kapul, Hyderabad.
3 The Mandal Revenue Officer, Balanagar Mandal, Kukatpally, Hyderabad
4 The Executive Engineer, Irrigation (Minor) MCH Complex, Tank Bund, Hyderabad
5 The Secretary, HUDA Hyderabad
6 The Assistant Director, Survey & Settlement, Land Records, Nampally, Hyderabad

**.....RESPONDENTS**

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court may be pleased to issue a Writ, Order or direction more particularly one in the nature of Writ of Mandamus declaring the inaction of the respondents in issuing no-objection certificate to the lands of the petitioner of an extent of ac. 5.14 cents situated in Sy. Nos. 70,71,76,96,97, 40/A and 46/A of Moosapet vilalge, balanagar Mandal, Ranga Reddy District as arbitrary illegal, high handed violate the fundamental rights guaranteed to the petitioner under Article 14, 19 (1)(g), 21 and the constitutional guarantee under Art.300-A of the Constitution of India apart from being in violation of the statutory provisions of the Revenue Code in issuing No-objection certificate and refixing FTL for Kmaisamma Cheruvu that it also violates principles of natrual justice andfair play and consequently direct the respondents to permit the petitioenr and

others to develop our lands into house plots and pass such other order or orders in the interestof justice

**Counsel for the Petitioner:MR.T.S.ANAND**

**Counsel for the Respondent Nos.1 to 4 and 6: GP FOR REVENUE**

**Counsel for the Respondent No.5 : Mr.B.Viswanatha Reddy**

**The Court made the following :**

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**ORDER**:

This writ petition is filed seeking a declaration that the alleged inaction on the part of the respondents in issuing a no-objection certificate claimed by the petitioner for construction of house in his agricultural land situated in Maisama Cheruvu, Mandal, is arbitrary and illegal.

It is alleged that the respondents 1 and 2 failed to consider the representation made by the petitioner and no orders have been passed so far.

Learned Government Pleader submits that the said land forms part of the tank bed and would be submerged at full tank level.

Be that as it may, since admittedly, the application made by the petitioner is pending before the respondents 1 and 2, without expressing any opinion with regard to the claim made by the petitioner, the writ petition is disposed of with a direction to the respondents 1 and 2 to consider the application of the petitioner dated 13.12.2004 and to pass appropriate orders in accordance with law as expeditiously as possible, preferably within a period of four weeks from the date of receipt of this order. No costs.

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03.02.2005

Note: Furnish C.C., in three days.

(B/O)

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To

1 The District Collector, Ranga Reddy District at Lakdi-Kapul, Hyderabad.
2 The Joint Collector, Ranga Reddy District at Lakdi-Kapul, Hyderabad.
3 The Mandal Revenue Officer, Balanagar Mandal, Kukatpally, Hyderabad
4 The Executive Engineer, Irrigation (Minor) MCH Complex, Tank Bund, Hyderabad
5 The Secretary, HUDA Hyderabad
6 The Assistant Director, Survey, Settlement, Land Records, Nampally, Hyderabad

7 Two C.Cs to the G.P., for Revenue, High Court Buildings, Hyderabad (OUT).

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